

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

SUSAN L. OSTRANDER POLZIN,

)

Plaintiff

)

v.

)

No. 3:07-cv-127
(Phillips/Shirley)

BARNA AND COMPANY, *et al.*,

)

Defendants

)

ORDER

For the reasons set forth in the Memorandum Opinion this day passed to the Clerk for filing, it is hereby ORDERED that defendants' motions to dismiss [Docs. 19, 21, and 22] be, and the same hereby are, GRANTED whereby plaintiff's allegations of violations of the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. § 1962(c), set forth in Count XXXIV are DISMISSED WITH PREJUDICE, and all remaining counts of the complaint are DISMISSED WITHOUT PREJUDICE. *See* Fed. R. Civ. P. 9(b) and 12(b)(6); *see also* 28 U.S.C. § 1367(c)(3).

ENTER:

s/ Thomas W. Phillips

UNITED STATES DISTRICT JUDGE